

COMMITTEE ON PUBLIC SAFETY AND TRAFFIC

March 20, 2007

4:00PM

Chairman Osborne called the meeting to order.

The Clerk called the roll.

Present: Aldermen Osborne, O'Neil, Shea, Roy, Long

Messrs.: Jim Hoben, Denise Boutilier, Gregory Ahlgren, John Tenn, John Tarr, Katherine Gatsas

Chairman Osborne addressed item 3 of the agenda:

3. Ratify and confirm poll conducted February 28, 2007 approving the painting of shamrocks at the intersections of Elm and Pleasant Streets and Elm and Hanover Streets.

On motion of Alderman O'Neil, duly seconded by Alderman Long, it was voted to ratify and confirm the poll conducted.

Chairman Osborne addressed item 4 of the agenda:

4. Proposed angled parking on Mechanic Street referred back to Committee by the Board on March 6, 2007.

Alderman Roy moved for discussion. Alderman Long duly seconded the motion. There being none opposed, the motion carried.

Chairman Osborne stated what I'd like to do with this here is to have Mr. Jim Hoben come up here. Is there anyone present as far as landlords? Anybody from the YMCA here?

Alderman Roy stated I did get a number of letters from landlords that couldn't attend this evening.

Chairman Osborne stated I got one from Mr. Fremeau who couldn't attend but you've got others...like who?

Alderman Roy stated Ben and Jerry's and George Bruno as well as Hal Jordan from the YMCA.

Chairman Osborne asked is there anyone here from TFC...is there anyone here who wants to speak regarding Mechanic Street.

Mr. Rob Loburn, Quiznos Subs stated I just want to express my concern of the parking direction proposed for Mechanic Street...it doesn't give a strong flow for the merchants for having two one ways going in the same direction and the additional angled parking would be advantageous for the downtown, with the 15 minute parking it works very well with the YMCA and the other businesses in the area but the angled parking is a good solution to that to add more parking...just the direction of flow I think should be every other direction instead of two one ways next to each other and I believe the next street down it doesn't give people coming into the downtown area options that they would consider normal traffic flow to get in and out of Elm Street and find the side street businesses. Thank you.

Chairman Osborne asked is Mr. Jordan here from the YMCA.

Mr. Hal Jordan, President/CEO of the Greater Manchester Family YMCA, stated I've been the director for 18 years since 1989 and I'm in opposition to making it a one way street for numerous reasons. The YMCA as most of you know is a hub in the community where people from all over our community and other communities come to. While we have a large walk-in clientele at the noon hour for many of the businesses most of our clients, the vast majority probably 80% drive to the YMCA today in the early morning hours, afternoon/evenings or weekends with our biggest day being the evening hours from about four to nine o'clock at night and on weekends for youth sports and family programs and all the years that I've been here when people come to the YMCA they come up Mechanic Street, get onto Elm Street, down Stark Street and they loop around looking for places to park. We've been very fortunate and are very grateful for the relationship we have with Brady Sullivan and the prior owners of the tower to allow us to have validated parking at the Canal Street Garage. So, while it's advantageous to have additional parking on Mechanic Street we have what we think is a long-term solution because of the generosity of our friends at Hampshire Plaza. So, if a person misses coming to the YMCA that means they're going to have to go down Stark Street, go through one light at the end of Mechanic, a second light at the end of Spring Street, come all the way up Spring Street intersecting with Elm Street and for those of you that come east on Spring Street you know that intersection is very difficult and backs up...take a right on Elm Street and another light at the end of Concord Street before they can actually get back to the YMCA. So, the logistics

of the pattern of flow along the YMCA we feel is going to be very disruptive for our members and for the community to get access to the front door of the YMCA. The inconvenience of that pattern we feel is going to be detrimental to the community, to the kids and the families we serve and make it very inconvenient for them to get access to the front door of the YMCA. So, it's for those reasons that we are opposed to it...I hope you reconsider the motion...the Y's been a steadfast community player with lots and lots of youth programs and collaboration with Manchester schools and a lot of other organizations and I think everyone's going to suffer with this and hope that you would reconsider it.

Attorney George Bruno stated I'm a property owner at 15 Stark Street and am impacted by the decision to make Mechanic Street a one way. I think people have been saying that two streets going one way is bad policy but actually you have three streets that would cut off access to Elm Street. You have to include Market Street, Stark Street and Mechanic Street. If Mechanic Street was made one way west all three streets would be blocked from access to Elm Street. It would be a tremendous inconvenience to the tenants in my building, to my clients in my law firm...many of whom speak other languages, not completely familiar with Manchester and would have them circling down Stark Street or down Mechanic Street into the Millyard and not having access back out to Elm Street in an easy fashion. So, I urge you to vote this proposal down. Thank you very much. Allow me to say that I also speak for Joe Fremeau of Fremeau Real Estate who regrets that he could not be here today and his company also opposes this change.

Chairman Osborne stated we received quite a bit of correspondence. Is there anyone else wishing to speak for or against.

Ms. Stephanie Lewry, Intown Manchester, stated I believe we've all gotten a little surprised at reaction to this proposed change and I think it's been instructive. At first, it seemed like it was a good idea...we're going to add more parking places, everybody says we need more parking places...it seemed like a really good idea. I'm glad you've gone to the extent to have a public hearing on this because it has allowed us to have a little bit of time to digest the implications and we've all agreed in the neighborhood that it's probably not a good idea to make this change and just for your information cities are trying to do away now with one way streets and the idea is that we want people to be a little bit more congested downtown and we want traffic to slow down and we want people to look at the businesses that are on both sides of the street...businesses that are on one way streets feel that they're at a disadvantage and it has been proven to be true. Thank you.

Tim Sheldon stated I live in Alton, New Hampshire but I am an employee for Brady Sullivan Properties...we are owners and managers of the Brady Sullivan Plaza and as such I want you to know right off the bat that we feel very strong about any aggressive measures you take in adding parking. We applaud you, we hope that the breadth of your view goes up and down Canal Street, up and down North Commercial Street to Commercial Street and off the Granite Street corridor. It's really to the advantage of and once again I'm talking more toward the Millyard end of things now. Anything that you can do to help create parking opportunities down in that area is going to be greatly appreciated. The Millyard is a huge economic engine and right now the economic engine has slowed a bit because we cannot fill our spaces because of lack of parking and that's just the harsh reality of the economy of that infrastructure how it relates to our ability to grow. One of the advantages of the Brady Sullivan Plaza is that we have a 1,000 car parking lot/garage system and as such a little bit under a third of that is accessed off of Mechanic Street. We have been making significant improvements in that building and we're about to start doing a lot of renovations to the outside facility to give it a new upgraded presence and the parking is our biggest advantage being in the downtown outside of the 20 stories of view that we have and in reviewing with our tenants in the past week-and-a-half we've been talking to all of our tenants about our proposed changes...we've brought up the issue of parking and this potential change...get some feedback from them and to a "T" they have let us know that they were not in favor of it because it would reduce the amount of flexibility that they have. Sometimes you have to lose a finger to keep the hand and so we have to be careful about the initial knee jerk reaction, however, you would be indeed putting more parking or more traffic pressure on Spring coming up to one point of presence on Elm Street and I was there a few minutes today trying to get into traffic and the cueing of cars to be able to come up after you've been on Canal Street to pooling in the morning or in the afternoon at lunch time is going to put an additional pressure on Spring. Regardless of the mechanics of that I just wanted to voice my support in anything you can do to help in parking, however, I do want to say that the tenants in the building and the Brady Sullivan Properties' folks would appreciate that you reconsider your action on this potential proposal. Thank you.

Chairman Osborne asked is there anyone else wishing to speak. There were none. Comments from the Committee.

Alderman Roy stated we've heard from a number of building owners and tenants. I move that we change our previous decision...agree that we do need additional parking in the Millyard and downtown and that this came from the Parking Study but at this point it would be ill advised and leave it there.

Alderman Long stated parking wasn't the main focus of changing this one way although it did add six spaces. One of the main focuses was on making Mechanic Street more walkable, more friendly. I use the "Y" and it's difficult walking through the traffic there going both ways, however, when we first moved to make this a one way we didn't know of all of the issues that were involved as we know today. So, with still the effort of trying to make downtown more walkable and greener we still need to look at avenues and obviously Mechanic Street is not one of those avenues that's going to do it.

Alderman Shea stated this is an instance of an unintended consequence and I refer to that many, many times and possibly I'll have to refer to it again. The point of the matter was in the initial discussion it seemed as if it were a good idea, the Intown person came and indicated that at first glance it seemed like a very good idea but when you do one thing then what happens is there are for other people unintended consequences as we heard from people that would be directly impacted by this change. So, again, when we make decisions at the Aldermanic Board no matter what they are we have to remember that when we make a decision concerning one aspect of one problem we may be creating several aspects of other problems which are at the point of discussions unintended at that time. So, again, we have to remember unintended consequences may be the result of a very well meaning discussion that is decided at one point but at a future date does not really hold the necessary types of...looking at the entire situation and beneficial to the general public. But I'll have more to say to that later on in our discussions. Thank you, Mr. Chairman.

Chairman Osborne stated we have a motion to table or to receive and file.

Alderman Roy replied the motion is to receive and file. Alderman Long duly seconded the motion. There being none opposed, the motion carried.

Chairman Osborne addressed item 5 of the agenda:

5. Petition submitted by residents of Grove Street requesting a change in the use of Grove Street between Wilson and Hall Streets.

Chairman Osborne stated this item is in my ward and I've been on this for quite a while...this particular situation on Grove Street. Right now, the Building Department is working with it...Al Kula and a few others are working with it so all I'm going to ask is that it be referred back to the Building Department for recommendation. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

Chairman Osborne addressed item 6 of the agenda:

6. Communication from Gregory and Barbara Ahlgren requesting recision of “No Parking” zone in front of 388 Walnut Hill Avenue Extension.

Deputy Clerk Normand stated I do have pictures from Attorney Tenn to hand out to the Committee.

Chairman Osborne stated I would like to have Mr. Hoben give me his recommendation here on what he’s done as far as safety or whatever it might be.

Mr. Jim Hoben, Deputy Traffic Director stated it was initiated back in December...the letter of John Tenn a resident of Whitford Street and his rear driveway exits onto Walnut Hill Avenue. Last year they put in a sewer and drain project, it narrowed the street to 23.5 feet wide...it’s curb-to-curb. Mr. Tenn’s driveway is opposite Mr. Ahlgren’s driveway, which is on the north side of the street, and I guess there’s been a few things going on between the residents there. But, when I looked at this I looked at it impartially...both with the gentlemen and also the area. I looked at all of the engineering aspects...we did a turning movement out of his driveway and was found to be very tight. I went back and looked at the 1984 Ashtell Green Book, which lists minimum size of travel lanes. So, when I responded to Alderman Roy I listed that in my communication that when you park a vehicle on the north side of the street using 7 feet it backs that down to 16.5...divided by 2 for your 2 travel lanes and you’re down to 8.25. The Ashtell Green Book listed the travel lanes should be 9 feet wide. This coupled with the fact that Mr. Tenn tries to exit his driveway it doesn’t meet the engineering standards for turning radius. Highway engineers did it twice...they did it perpendicular to the street, the 90° angle and never made it. Then they took the car and shifted it since Mr. Tenn’s driveway is offset somewhat it didn’t make it that way either. So, with that note I posted it to 60 feet in front of the driveway. Now, note that Mr. Tenn’s residence was there before Mr. Ahlgren’s was built. It’s just a twist of fate that it comes to this and I saw it looking at all of the different angles on it is the only way out that I could see that he could drive safely out of his driveway.

Alderman Roy asked could I clarify part of that statement.

Chairman Osborne asked can we do it after

Alderman Roy stated I just want it because it’s part of the record so it’s correct. Jim you just made the statement that Mr. Tenn’s driveway was there prior to Mr. Ahlgren’s and I think you reversed the names.

Mr. Hoben stated Mr. Tenn's residence...the house was there before Mr. Ahlgren's house was there.

Alderman Roy stated I thought it was the reverse and if you're confident in that then I'll let other people speak.

Mr. Hoben stated I'm very familiar with the neighborhood.

Alderman Roy stated I'm not arguing with you it was just my understanding that it was reversed.

Chairman Osborne stated we will hear from Mr. Ahlgren. Mr. Ahlgren we've received quite a bit of correspondence from you and have it them all, believe me. Let me hear what you have to say here...we know but everybody else doesn't what your aspirations are.

Mr. Gregory Ahlgren stated Mr. Chairman and Members of the Committee thank you. I appreciate you talking...all of you taking the time to read that material that I sent. It obviously might be a minor issue to a lot of you but it's a very important issue to us...we're talking about home. My name is Greg Ahlgren and I along with my wife who is seated back there Barbara and my daughter is with us today Amelia a Central High School student. We live at 338 Walnut Hill Avenue Extension here in Manchester. By way of history we bought that land in 1992 about 15 years ago and we built the house. When we built the house we positioned our garage and we established our driveway. There's some discussion as to which came first...our house or the house across the street. I don't think that's truly the operative question...the issue is which came first...our driveway or the driveway across the street. The house across the street was a vacant lot, it was purchased by a developer who then built what's called an estate lot, it's part of the width...the house across the street is part of the Whitford Hill subdivision. It's an enlarged lot, they face the house facing Whitford Street and they had a driveway going down and still do have a driveway going down Whitford Street...that's their main driveway. During the construction of the house the developer removed some trees right in front of us. The developer moved some trees because they're having trouble...the house is so large that he removed some trees and put down some gravel to let the cement trucks when they were pouring the foundation to get in to pour the foundation...that became a path and after the house was built and sold it just remained an abandoned path. After the homeowner the first homeowner not the current homeowner was there two or three years he repaved the whole driveway and when he did that he paved this pathway that came out to Walnut Hill Avenue Extension and that became his second driveway. So this house we're talking about across the street actually has two driveways...the main driveway

onto Whitford Street which is where the address is and there is also a pathway that's been paved over that comes out almost opposite, directly opposite my driveway. There was never any problem until last year when...it's been alluded to by Mr. Hoben...a personal dispute developed between myself and my neighbor across the street. There were words said by my neighbor to my mother who's 93 years old...he said he was going to get me and get the parking signs put in and take care of me. I sort of laughed it off...a week after that I got a call from Alderman Roy saying that there was a proposed new ban to parking on the south side of Walnut Hill Avenue Extension. I talked to Alderman Roy about the dispute that was going on and he agreed...at one point he actually was more like Dr. Phil I think than an Alderman he actually offered to try to get us together and to try to talk about it rather than end up here in front of an Aldermanic meeting and Mr. Tenn has refused to discuss any aspect of this issue with me, he's never approached me, he's never called me, never come across the street and when Alderman Roy tried to get him to do that he just said he simply refused and was going to go this route. In December the south side of the street was banned...there was no parking for a sensible reason but I understood I didn't like the idea of no parking signs even though it's a residential neighborhood...we're only talking six houses on the whole street, a dead end street...it was because an emergency vehicle might have trouble accessing up the street if there were cars parked on both sides and that makes sense regardless of the dispute issue that does make sense. So, we didn't object and I talked to Mark (Alderman Roy) and we agreed to ban parking on the south side of the street. But, that wasn't enough for Mr. Tenn and then he filed this petition to ban parking not on the whole north side of the street but only in front of my house. The problem with that is that is where our guests park. We have a 2-stall garage...we don't have a big estate lot we just have what I would call a regular garage and back out onto the street and in front of each of the two stalls we have parking spaces...there's only three of us that live there. My wife has a car, I have a car and we have a teenage daughter who's a senior at Central High School and we have an old bomb car that we bought for her that she learned to drive on and which she drives to Central. So, I always pull into my garage, my wife always pulls into the garage, our daughter parks behind one of the stalls...she parks outside. If there's a...the only time she really parks in the street is when somebody has to get out of the garage or if somebody is about to get out of the garage. For instance, if she comes home and she knows my wife has a doctor's appointment or something then she would park in the street. We have guests that visit us...I have a 92 year old mother she visits...my wife has elderly relatives who visit...my daughter has a lot of friends from Central that visits, she hosts a lot of study groups, she a member of the crew team...does crew team meetings, etc. But, we're not talking about a lot of time that there are cars on the street. It can't be more than 3 or 4 % of the time that there's ever cars. When they do park they park immediately west of my driveway which would be opposite Mr.

Tenn's secondary path or driveway that he has coming out and he claims that this is an inconvenience because it's difficult for him to get out of this driveway. When Mr. Hoben looked at it Mr. Hoben said in his report of March 5th...his only comment was that coming out of Mr. Tenn's driveway it was a tight turn. He didn't say it was impossible, he didn't say it was unsafe, he didn't say it raised a public safety issue, he simply said it's a tight turn. My wife and I have lived in Manchester respectively on Brennan Street, Weston Street, Grand Street after we were married, Pearl Street, Maryann Road and now Walnut Hill Avenue Extension. All of those places when you back out of those streets you've always got to be careful for cars behind you and all of my driveways that I've ever had I had to back out of them. I didn't have the luxury of being able to turn around and drive out...that's part of urban living. And, I understand that Mr. Tenn doesn't like the fact that he has to...it's a tight turn and he has to be careful but that's because it's really a defective driveway. We hired, at our own expense, we hired an engineering firm to come and look at Mr. Tenn's driveway and the engineering report was by CLD Engineering and the report is there...Mr. Kenneth Rhodes...in his report he notes that the driveway, Mr. Tenn's driveway is straight, it's narrow and it hits the street in exactly a 90° angle. This means that when you exit his pathway and Mr. Tenn has recently purchased one of these lengthy pick-up trucks extended cab...a big truck type thing...so he's not able to start his turning radius as most people do in their driveway before their wheels hit the street. He comes out straight and then he takes his left, which he has to because there's no flair, there's no turning radius to his driveway. The engineer who looked at this said with a very minor addition with just the increase of a 10-foot radius which a driveway should have a radius anyway that you'd be able to exit Mr. Tenn's secondary driveway without crossing over the centerline. There would be no problem and really the problem is because Mr. Tenn has a defective driveway. I understand he didn't build it, he's not the one who engineered it or designed it and he inherited it but I don't see why his defective condition becomes my problem. Why...that's not the purpose in my view of public policy is not to say well if somebody has a self-created condition in their own property that the remedy to cure a self-created condition which you're capable of curing yourself is to instead shift the burden under some other neighbor or citizen. If I built a garage and there was a problem with it and I couldn't get to it because of the driveway I wouldn't think of going to my neighbor or going to the City and saying that the City has to do something to my neighbor or take away some right or some enjoyment that my neighbor has in order to cure my problem. The problem is very simple...Mr. Tenn says that both of his driveways are defective he's wrote letters to the Mayor and the Board...he says he can't get out of his Whitford Street driveway because it's not engineered correctly but his remedy is...if he has a problem with his Whitford Street driveway then he should redesign it and reengineer it. It was approved by the City at the time the building permit was issued, a certificate of occupancy was

issued and met whatever standards were in place, it wasn't that long ago...it was the mid-1990's. If his problem is with his secondary driveway, his optional driveway then his options is simply increase the radius as the engineer recommended. What Mr. Tenn suggests and I think in my discussions with Alderman Roy is that we'll take away the parking in front of my house and if anyone comes to visit they can park up the road to the east of my house. The problem is several fold. One it's a dead end street so in order to reach my house you have to come up only from the west, come up an incline and then you pull into my driveway and then when you back out you're facing west. In order to do what has been suggested let everyone park up the road and walk down to my house they would have to go past my house and pull in illegally as it would be to somebody's else's driveway where they have no permission to do so and turn around and I don't think the neighbors up the street would particularly care for that if we started adopting their driveways as some sort of public access road so that people who visit the Ahlgren's or anybody else could turn around in their driveway. The other problem is that the land to the east I put inground lights, we have lights on my kitchen door and on my main door, we have floodlights on the garage and motion detectors. We have lights, we have a wall in front with more lights...the area right in front of my house is lit...there's no lighting up the street. So, if my daughter... Mary has friends, other girls coming over from Central they would be walking in the dark at night. There are no sidewalks there. If you put in effect a 60-foot ban right in front of my house you would also...and people park to the west of the 60-foot area they would have to traverse up a rather steep incline since I'm on a hill. I don't think that's fair. It's not fair when he has a simple remedy...we're taking away parking 24 hours-a-day, seven days-a-week from the neighbor across the street so that he doesn't have as Mr. Hoben phrased it a tight turn coming out of his driveway. In applying any rational balancing test that doesn't seem to be an appropriate remedy for what is Mr. Tenn's self-created not by him but by his predecessor in title, a self-created problem and it's not only a self-created problem it's a self-created problem that has a very easy solution. I don't think you can just shift his problems and say the City should go to bat for him and take away other things. I know that it's not the concern of the Board but Mr. Tenn got the storm drains and the sewer...last year the City spent almost \$775,000 putting storm drains in because he said that he had water in his basement...be that as it may he then got the parking taken away on the south side because he didn't want people parking in front of his house or along his street and now he's asking that parking be taken away from the north side in front of my house. I think in order to cure what's a self-created problem I think it's time for the City of Manchester to say to my neighbor across the street you've got a remedy here, take care of it. It's not our concern and it's not the Alderman's concern that you have a defective driveway. In addition, we also have a report I talked to a realtor and asked just one realtor it's not like I hunted around for somebody and I talked to a real estate

appraiser...both of them who didn't know about each other gave an opinion that the mere existence of no parking signs in a neighborhood like this...they're unsightly and they sort of give a commercial feel and it's not consistent with the type of neighborhood. I can't think of any other no parking signs in the north end, north of Clarke Street on this side of Union...there just aren't. If these parking signs now that we're into the second wave of being put in by the request of one person...I think for improper motivation but that's neither here nor there. In addition to being unsightly the parking signs there's also a discussion of valuation. I think that both the realtor and I talked to Mr. Roy about this and he agrees the realtor and the appraiser both said that the lack of parking especially in a residential neighborhood...the lack of parking is going to impact the attractiveness and marketability of a home. If we go to sell our house in a few years as we may as our daughter hopefully will be going to college and leaving us...so we're told...if these things happen we may downsize to a smaller house and then we've got the problem of if we go to market our house and a young family comes along like we were when we started and comes along and say I'm looking at four or five houses but gee this white house on Walnut Hill Avenue Extension's nice but who's going to come over for Thanksgiving dinner or Christmas and New Year's if you can't park there and if you've got to park down at the bottom of a hill and walk up just so somebody can get their Lincoln pick-up truck out of a defective driveway which they have...that doesn't make a lot of sense to me and I know I've been going on...it was a bad idea for somebody to give me water because that allowed me to continue and I guess in hindsight he probably wouldn't have done that. So, anyway I think also it tends to set a bad precedent and can talk about other issues but all over Manchester there are issues with people having tight turns coming out of their driveways and I don't think that the remedy is simply in all of these cases to simply deprive the neighbor the right to have guests visit. That's all I really had to say I didn't submit the report I submitted a letter from my brother in support of my position...my brother is also my neighbor he's not just my brother. He's lived on the street since 1978, which is one of the reasons we bought that land. He couldn't be here but he did have a letter. So, that is all I really have to say and I would be pleased.

Chairman Osborne stated I'm sure there will be a few more questions here. I just had a couple if you don't mind and then I'll leave it over to the Committee here. You brought these pictures here.

Mr. Ahlgren stated those aren't my pictures.

Chairman Osborne stated oh, Mr. Tenn brought the pictures, okay. I guess my Tenn is over here and you're across the street, right.

Mr. Ahlgren stated yes.

Chairman Osborne stated from what Jim Hoben said that Mr. Tenn's home has been there for quite a while...how long has your home been where it is now? When was it built?

Mr. Ahlgren replied in 1993 I think we started and I remember the house across the street being under construction at the same time. I can't say for certain which one was finished first.

Chairman Osborne stated so they're both around the same time, Mr. Tenn and yourself.

Mr. Ahlgren stated yes. I remember being in my house and the developer stilled owned the house across the street and going to an open house there just to see what it looked like inside.

Chairman Osborne asked what is over here on the other side of the garage where you are here?

Mr. Ahlgren replied some grass and then a little retaining wall.

Chairman Osborne asked is there any parking area over here on this side?

Mr. Ahlgren replied no. The only two parking spaces are the two in front of the two garage doors. The land is very ledgy in there and the land slopes up so that by the time it reaches the back of the garage the land is actually up to the second floor. We had to blast that garage in...a section of it.

Chairman Osborne stated I noticed there's three different cars here...who do they belong to I'm just curious?

Mr. Ahlgren replied the car that's in the driveway is my daughter's.

Chairman Osborne stated you've got a van and this car and another car.

Mr. Ahlgren stated the van would be a guest.

Chairman Osborne stated there's an empty space in the driveway here but this is where you like to park...you like to park and walk all the way around to get into your front door is that it.

Mr. Ahlgren stated we don't go through the front door we only go in the garage door. I don't know if the picture shows it but right next to the garage door there's the kitchen door.

Chairman Osborne stated to me I don't think I can blame anybody. It's not that I'm trying to pick on one or the other but as far as his driveway being inferior I don't think that's the answer I think maybe if one was built before the other they had no idea where they were going to put the driveway and the other home or things of that sort so it kind of made it kind of hard when the City finished it and put curbs and streets and so on and so forth in there...that's what really made this all happen because you had no room to park closer to your house, is that it?

Mr. Ahlgren stated the curbing on the south side was there before the City's projects in 2006...that's been there all along. The only curb that was added was under the 50/50 plan we paid to put curb in front of our house last fall.

Chairman Osborne stated so that took up the space that you were using when you put curbing in front of your house.

Mr. Ahlgren stated no because right next to the curb I have a water/lawn sprinkler and the street is not any narrower. If I was to use...I can't go any further than the curb. If I had gone further than the curb before they put it in I would have driven onto my lawn sprinkler.

Chairman Osborne asked Jim how much does the City own from the curb...10 feet from the curb to his property line...is that a 50/50 for a right-of-way for the City there?

Mr. Hoben replied I'm not sure what it is there, Alderman.

Chairman Osborne stated usually it is but that's only 23.5 feet you said. I don't think it's 50 feet then the whole area.

Mr. Hoben replied I'm not sure.

Mr. Ahlgren stated my understanding is when the Whitford Hill subdivision was put in a condition of the Whitford Hill subdivision was that they give 10 feet along their edge to add to the 23 or 24 feet that were there. So their right-of-way only extends on the south side.

Alderman Shea stated just a quick question. Does Mr. Tenn own property on Walnut Hill?

Mr. Ahlgren replied he owns some...well, the lot across the street from me is a through lot so he fronts on Whitford Street which is where his main driveway is, his front driveway and then if it's a through lot so he owns on Walnut Hill Avenue Extension also and then he also...his family at least owns the lots to the east of him.

Alderman Shea stated so in other words the people that own property on Whitford Circle...that's what it is...they also own property on Walnut Hill or is it that their property abuts Walnut Hill.

Mr. Ahlgren stated some do. The ones at the west end of the circle do...the first couple of lots are through lots...it's one lot going all the way...it starts off on Whitford and goes to Walnut Hill then there are some double lots...I think in all cases whoever owns the front lot also owns the back lot.

Alderman Shea stated that would be to the east of where Mr. Tenn in discussion here resides is that correct.

Mr. Ahlgren stated that is correct.

Alderman Roy stated Alderman just so you have a picture of it...this is the Tenn lot...Whitford Street, North Russell, Walnut Hill Avenue Extension...this would be Ahlgren's property...this was the road.

Alderman Shea stated I'm very familiar with that area.

Alderman Roy stated I would just ask and I've had a number of conversations with the Ahlgren family, the Tenn family, Jim Hoben...as Alderman O'Neil stated this is probably my fault for not settling this out in the beginning. I took the approach early on as to let Jim look at this and make the decision whether or not between these two neighbors who is right, who is wrong...I would only ask that and again trying to be as fair as I can in this situation that I know Attorney Tenn is here...I don't know if you're going to go to him.

Chairman Osborne stated oh yes I am.

Alderman Roy stated okay then I'll withdraw my comments but I would just urge my colleagues to listen to both constituents and make up their mind as they see fit.

Alderman Shea stated I'd like to ask Mr. Hoben a question quickly. You indicated before Mr. Hoben that the street itself was 21.5 feet which would mean that it's about...23.5...and then you break it down and it's 8 rather than 9 feet is that correct.

Mr. Hoben stated it's 8.25 for a travel land...if a car is parked...using 7 feet as the parallel parking lane.

Alderman Shea asked how many other streets are there in Manchester...in your opinion...that are the same measurement? Are there 10, are there 20, are there 500, are there 100?

Mr. Hoben replied at the 23.5 maybe 20 I'm not sure.

Alderman Shea stated maybe 20 different streets in Manchester is that correct to your knowledge that are about the same.

Mr. Hoben stated possibly.

Alderman Shea stated so basically and I don't want to get ahead of myself but basically if a decision is rendered here regarding that particular premise would that entitle other people in the City to raise the same objection in your opinion regarding this particular situation if in fact someone were to do that. In other words, could we be setting some sort of precedent by saying in essence that because we have done this at Walnut Hill Avenue Extension that we should be able...in other words I'm a devil's advocate here of course but I'm just saying could I then say that I would have the same prerogative because of that. Would that be a determinant factor in terms of their being able to do that in your opinion.

Mr. Hoben stated if it met the criteria for the engineering deficiencies. If it met the criteria for the engineering deficiencies which this situation exists.

Alderman Shea stated you're saying in essence that if it met the criteria then other people who are impacted the same way as this particular person is being impacted they could come to the Highway Department or they could appeal and come to the Board of Mayor and Aldermen and say the same thing that they're saying in terms of the length or the dimension of the street...is that what you're saying?

Mr. Hoben stated the facts are laid out in this particular case.

Alderman Shea stated I'm not talking about this case...I'm talking about the relationship of this case as it impacts other cases that may be forthcoming if in fact a decision is rendered...that's what I'm asking you...would they have the same type of authority to do this or would you have to do this because of what's being done here? Even if the circumstances were much worse.

Mr. Hoben stated we don't uniformly post no parking on narrow streets unless it's become a problem. The problem was presented to the Highway Department, we looked at all the facts, did the engineering on it and that's what we came up with.

Alderman Shea stated you're not answering my question.

Mr. Hoben stated another person on another street comes in with the same situation we would handle it the same way again...look at the engineering facts, bring it to the Traffic Committee for your recommendation.

Alderman Shea stated one final question. How long have you worked for the City?

Mr. Hoben replied I've been with the City for 32 years.

Alderman Shea asked how many times have you done.

Mr. Hoben stated this is the first.

Alderman O'Neil stated I know where Alderman Shea's going with this. I had Alderman Roy do the street I live on...it's pretty narrow, is it about the same Alderman...this could have a snowball effect. I think there's more than 20 of these streets...there could be hundreds of these streets.

Chairman Osborne stated it depends on where the driveways are coming out...this is the problem here.

Alderman O'Neil stated I blame this on somebody either Planning Board, Planning staff or Building Department missed this. Somebody on the City side missed this...this never should have happened to begin with and I feel sorry that the two families can't get together and work this out but I agree with Alderman Shea this is going to become a domino effect across the City of Manchester.

Chairman Osborne requested Mr. Tenn approach. It'll be like the "Hatfields and the McCoy's".

Mr. John Tenn, 312 Whitford Street stated thank you for your time this afternoon. I'd just like to say briefly it is unfortunate that we're here today. This situation could not unfortunately be resolved between myself and Attorney Ahlgren. He recognizes that we have a problem and in recognition of that fact the photographs which I have submitted to you today are dated March 10, March 13, and March 18. As early as two days ago I demonstrate that despite his knowledge that we cannot get out of our yard safely and easily he continues to park his own personal vehicles there and have his visitors park their vehicles there. The fact remains it's a very narrow street. I didn't built the home I purchase the home a few years ago. Unfortunately, the home has a very, very steep driveway and what Mr. Ahlgren didn't tell you is that the driveway is so steep in fact that in sometime in the mid to late 90's the rear section of the driveway was paved, it was approved by the City and in the winter months it is the sole access to my yard. I have brought with me Mr. Joel Tinker today who's been plowing my yard for the last three years and he will tell you, Gentlemen, that in the winter months you cannot go down my driveway out to Whitford Street and you cannot come up my driveway due to the severity of the slope, the amount of snow that accumulates there, the ice melt and the runoff. Accordingly, the only way we get in and out of our yard in the wintertime is through the Walnut Hill Avenue Extension. When vehicles are parked there like Mr. Ahlgren I have elderly parents, we have a lot of guests, we have a lot of company, we have a lot of visitors and we have delivery men that come to our home everyday. My wife works in a profession that requires her to receive daily deliveries from UPS and Federal Express. Every company be it UPS, Fed Ex, DHL have all requested that I contact my neighbor so that they can turn out of the yard. They are having a difficult time and we are having a difficult time. Attorney Ahlgren has indicated that I have a large truck and it's an improperly designed driveway but I don't know if it's an improperly designed driveway, it's a City approved driveway and it's a driveway that we have never had problems entering and exiting but for this past year and I think in part it's because Attorney Ahlgren's young daughter has now received her motor vehicle license so they have more use of cars and so the cars are being parked on the street which I can appreciate and understand. What I want this Committee to know is that when people visit me at my home they park on that street as well. So, I'm not looking to create a situation that impedes my own guests from coming to my house. All I'm asking for is a limited area of no parking so we can safely turn in and out of my driveway. When you come out of that driveway as it exists if there is a car there it requires a pull forward, a pull backward, a pull forward, a pull backward two more times before you can make the turn. Now, imagine when the road width is only 20 feet because of three feet of snow and ice and imagine when the streets covered with snow and ice how difficult that becomes and what has happened on more than one occasion is that people exiting my yard who can't pull

out have to back down my driveway and come get me and see if I can help them
get their car out of

the yard...it's not just embarrassing, it's unsafe. Mr. Ahlgren said we didn't come to him and we didn't communicate with him and Gentlemen I submit to you that the photographs depict the reason why. He's known about this problem for many months and rather than simply move his vehicle 30 feet one direction or the other it continues to remain there, it continues to present a problem. So, I wish we weren't here today addressing this issue before this Board but as neighbors the matter cannot be resolved. Alderman Shea I only live on one street. I only access my driveway from the rear in the winter time I don't know about a snowball effect but what I do know is when I sent a letter to the City, the Highway Department in December I simply said I'm having a problem would you investigate and Mr. Hoben who I don't know have never represented and have no personal relationship told me this is a significant safety issue there Mr. Tenn and I'm going to issue a report saying that there should be no parking for a 60-foot swath. Now maybe 40 feet is enough to resolve the problem. I don't know, I'm not an engineer. What I do know is as a resident of the home my family can't exit out our yard. I want to address two other things quickly. The south side of Walnut Hill Avenue was posted no parking along the entire south side of that street. At one point Attorney Ahlgren had cars parked on the north side and the south side. We were completely blocked from getting out of the yard. It was impossible to turn out of the yard. I called the Manchester Police Department, I reported it...they said report it to the Highway Department which is what I did. Highway determined that the road was so narrow that at least one side should be completely no parking. I was optimistic that that would resolve the problem but it did not because the vehicles parked at the western portion of his home still prevent us from pulling in and out of the yard. Alderman Osborne asked Mr. Ahlgren if he could part to the east of the driveway... the answer I don't think was clear. Attorney Ahlgren owns property to the east of his home as well it's a wooded vacant lot...there's parking directly in front of that lot. Attorney Ahlgren's home extends further down to the west...he could park his vehicle a little bit further to the west. There's west of the mailbox, there's east of the mailbox...there's the driveway and there's the garage...there's ample parking so that this should not be a problem but it is a problem because my neighbor will not cooperate with me and unfortunately we find ourselves here today. Two other things I'd like to address briefly. First, I'm surprised that he went to the effort to hire an engineering firm to issue a report. Common courtesy would have resolved the problem...just move your vehicle a little to the right or a little to the left and we wouldn't be sitting here today. I understand that Mr. Hoben has indicated that it is a safety issue and I would turn the microphone back over to him to address the safety concerns that we're having. This is not one family versus another family or one neighbor versus another neighbor. This is a resident of a neighborhood, a very high taxed neighborhood who cannot exit their yard. We cannot exit our yard due to actions, affirmative actions by their neighbor so I'm not looking to create a prophylactic rule that will apply throughout the City

I'm simply saying Gentlemen please help us exit my yard, please put in no parking signs in a very limited area. We park on that street as well, we'll continue to park on that street, we do so not in front of Mr. Ahlgren's home we park further down the road or further up the street to allow him the full use and enjoyment of his home and we're not trying to impede that in any way, shape or form. But, we're asking that you allow us to use and enjoy our home as well and I hope you'll understand that if you come by my home and I have invited all of you to do so in my correspondence you will see that my driveway is very steep and very narrow and accordingly we can't use, we can't use the wall on the Whitford Hill side in the winter. We solely use the Walnut Hill side so it's a red herring for him to say we have a primary and a secondary driveway. We simply have one driveway and the reason the rear portion was added according to Gary O'Neil who owned the home before me was because the driveway was too steep in the winter and they couldn't get out that way and construction vehicles cannot come up from the front because they bottom out and physically get locked into the driveway. The bottom of the driveway bears the scars from those vehicles getting stuck there and so I'd ask you as you consider this matter again that you allow us to enter and exit our yard safely and others who come to visit us safely. We're not asking that you ban the entire area of parking in front of Attorney Ahlgren's home, just a limited portion so we can get out of our yard. He can still enjoy his home and park in front of his home and he can park to the east of his home which is property that he owns as well. Thank you.

Chairman Osborne stated Mr. Tenn on your side of the street you have no parking at all right.

Mr. Tenn stated I have none at all.

Chairman Osborne stated the only parking you have is across the street where Mr. Ahlgren lives.

Mr. Tenn stated that's correct.

Chairman Osborne stated I wish there was somebody from Highway here. I can't understand when they put the new curbing in or redid the street here why they only made this street 23.5 feet wide and how much of space there are in each side of those curves...what does the City own? Why did they make it so narrow in the first place? I know you can't answer that I'm just talking here...this just doesn't make much sense to me. It's hard for us, it's hard for Mr. Roy, it's hard for everybody here including the two of you. It's too bad there wasn't a compromise here like you said. I think this is all it's going to take rather than being 60 feet there I think if you cut it down to 30 feet and give a little bit of leeway here I think

this would settle it. I think a compromise on...I know it's hard for you but you have to understand Mr. Tenn's...it's not his fault either with the way the street was put together here and the way your two driveways face each other now. It is kind of tough I can see it, it's a tough situation.

Alderman Shea stated you mentioned that there are trucks that come. Why don't they use the front of the building...I know next door to me trucks come and they park on the street and they distribute water and so forth. Why is it necessary for them to come by way of Walnut Hill and the back way.

Mr. Tenn replied vehicles like Fed Ex, UPS, DHL they're large vehicles...they're significantly larger than the vehicle that I drive which I think is irrelevant but in any event they can't physically come up the front of the driveway.

Alderman Shea stated no. Why can't they park in front of the street and go...

Mr. Tenn asked are you referring to Walnut Hill Avenue or Whitford Street?

Alderman Shea stated why can't they deliver that way rather than going around. Why is it necessary that they come around the other way and come into your driveway in order to deliver and have that kind of a problem getting out.

Mr. Tenn stated probably for convenience more so.

Alderman Shea asked whose convenience?

Mr. Tenn replied I would imagine their convenience. I don't know.

Alderman Shea stated there isn't any rule that says they can't use Whitford Street in order to deliver any kind of pharmaceutical supplies or whatever else they're delivering.

Mr. Tenn stated I think the only issue they have is that the distance between Walnut Hill Avenue and my home is quite substantial it's at least two times the distance from my home to Walnut Hill Avenue in the back. Whitford Street to my home is very, very far away and on a very, very steep minimum 12% grade incline. So for a delivery person to carry all of their stuff up the driveway doesn't make a lot of sense so they prefer to either drive up if they can which they cannot do in the winter time or with the smaller vehicles in the spring and summer months when they do come up they're having difficulty.

Alderman Shea stated so it's a matter more of convenience than necessity.

Mr. Tenn stated I don't know you'd have to ask them but I know they're not going to lug everything up the driveway I can tell you that.

Alderman Lopez stated two things. I like to bring up one for Mr. Hoben. I would hope that a lay person would get as much representation as we have two fine attorneys in the City of Manchester...that's number one. I think Alderman Shea has addressed that. In coming out of your driveway that you're speaking of is it possible to make two 45° angles coming out of your driveway...pavement I'm talking about.

Mr. Tenn asked can you ask the question a different way. In other words are you saying can I pull out, back up and then pull down the street.

Alderman Lopez stated no what I'm saying is when you coming out of your driveway...

Chairman Osborne interjected Alderman Lopez why don't you go up to the drawing board here maybe it would be easier.

Mr. Tenn stated I think I know where you're going and the answer is no...the driveway's completely perpendicular to the street and there's curbing right to the left of the driveway so we have to pull out and then make a pretty steep turn to the left but we can't do it in two 45°.

Alderman Lopez asked could a 45° angle be made if the curbing wasn't there?

Mr. Tenn replied honestly I don't know, I don't know if the City regulations allow that.

Alderman Lopez stated I realize that but with the Traffic Director here if he is indicating there are 20 something streets or more in the City in this category and Alderman Shea brought up a very good point and Alderman O'Neil...if I lived on one of those streets am I gong to have the same because if this is approved whatever way it does set a precedent for other people and I go back to the lay person who doesn't have the...and I say this with respect...the financial expertise as you two gentlemen have. So, I was wondering if the permission as an exception to policy for some of these streets that when we have something like this that if a 45° angle on your drive would be a lot better then you would have to back out...you'd just pull our normal...has that been looked at?

Mr. Tenn stated from my perspective it hasn't been looked at. It would necessitate ripping up yard and moving a fence and doing a lot of fairly heavy construction I

think in fact there but I don't know that Mr. Hoben said this in this meeting today but he has told me on streets of this width it's traditional that the Highway Department post no parking on both sides of the street so that there is no parking in the residential neighborhoods like this and perhaps he could address that. What I was told from the Highway Department was frankly there should be no one parking on the street and I said jeez I don't want that but it's my understanding that in the street that's this narrow that's what they do.

Alderman Lopez stated I will ask the same question of Mr. Hoben...could you answer the question.

Mr. Hoben stated like I explained before. If someone complains...two opposite driveways we would not systematically go out and post the whole street unless there's a problem. In other words this street would meet national standards to post no parking on both sides. We typically do not do that because as you know there's a multitude of narrow streets in Manchester. So, we're taking these problems one at a time. If someone came before the Committee again with the same problem I would address it the same way again...using the physical layout, using the turning movements and take it from there.

Alderman Lopez stated let me ask you this final question if I may, Mr. Chairman. Thank you. Go back to addressing what I'm saying because of the situation and everything that's going down on this particular situation and we have situations within the City like this...a 45° angle and removing the curbing...is that possible, have you ever seen that done?

Mr. Hoben replied not to my knowledge.

Chairman Lopez stated not to your knowledge but it's possible.

Mr. Hoben stated to reset his curbing yes.

Chairman Osborne stated Mr. Lopez I know where you're coming from...take out some curbing but there are ordinances and so on that restrict that...they only want the width or the mouth of a driveway only so wide as to whether it's a single car garage or a double car garage and they don't allow it unless you get a special exception probably from the ZBA because I've had that problem up on Tarrytown Road where a guy wanted to take out this much curbing and they wouldn't let him do it.

Alderman Lopez stated I agree with you, Mr. Chairman.

Chairman Osborne stated it's a tough situation some times and I think the problem is the way these two driveways are facing and the City again...the City came along and put in this new curbing and whatever and I still can't understand why they only made it 23.5 feet wide unless the City doesn't own the land...I don't know that...there's nobody here from Planning, Building or Highway to ask any questions. So, it's a tough situation.

Alderman Roy stated, Mr. Chairman, I can answer that question. The roadway, the paved roadway prior to the project was this width. If there was a widening of the road then it would be more like the Mission Avenue project we did two years ago where we had to have a petition signed by all the landowners, go out have a road hearing so when they did the curbing it was part of the storm water and sewer project...they maintained the paved section of the road that was already existing. During that construction, during the rebuilding of the road they made monies available 50/50 for the homeowners on that street so the 23.5 feet is an historical width not something that was recreated as part of the project. What was added as part of the project was the availability of the 50/50 and therefore many of the owners took advantage and added curbing which limits the use of the soft shoulder.

Chairman Osborne stated but I think they should have looked at this when they put the 50/50...the new curbing in there and made it a little wider than 23.5 feet...this is all I'm trying to say.

Alderman Roy stated I don't disagree with you.

Chairman Osborne stated it's a Catch 22 here again...it's a compromise situation unless Highway comes back and pulls up that curbing and moves it over or something like that that's about all we can do outside of these two fellows agreeing with some sort of a compromise instead of 60 feet only take 30 feet just enough for Mr. Tenn to get out of his driveway...that's all he's looking for I think. I don't think he's trying to look to park in front of your home or anything. I think it sounds reasonable, it's a compromise that's all we can think of unless we move the whole curb inwards I don't know how much land...we can't answer any questions here tonight because we don't have the right...I should have thought of that but I didn't...we could have had somebody from Highway or somebody here...an engineer to explain this.

Alderman O'Neil asked could we get some feedback from the Highway Department. It could be as simple as moving this curb. I can't say for sure that there's a violation of the Zoning Ordinance by widening this.

Chairman Osborne stated no I don't know how much land...

Alderman O'Neil stated if we could help out in this situation we've done it in other sections of the City we might be able to resolve this for both parties.

Chairman Osborne stated I'm all in favor of that...I'd like to see something here...some sort of a compromise here from the City or from Mr. Tenn or Mr. Ahlgren...we've got to compromise between the three of us here somewhere because it's not all their fault either.

Alderman O'Neil stated the City definitely...the Building Department, the Planning Department, Planning Board and maybe Highway missed the boat on this...a fairly new street in the City as it is now.

Alderman Shea stated what I'd like to know is how often are you in a position Attorney Tenn so that you have difficulty either coming or going.

Mr. Tenn stated every time a vehicle is there and it's just about every day.

Alderman Shea asked at what time?

Mr. Tenn replied all hours. Some of these photos were taken at four in the afternoon, some of them were taken later at eight o'clock in the evening. It seems like there's always a vehicle there over the weekends and there's generally a vehicle there at the dinner hour.

Alderman Shea interjected excuse me what do you mean by the dinner hour?

Mr. Tenn replied anywhere from five to seven let's say.

Alderman Shea stated your particular profession requires you to come and go several times a day or is it you're talking too about other people coming and going.

Mr. Tenn stated everyone who comes to and through my home has been experiencing this problem. So, it's not isolated to myself or my family. As I said the delivery folks, our plow gentleman...whoever it may be is experiencing this problem enough so that they've requested that I send a letter to the City and that's what I did.

Alderman Shea stated you indicated to me on the phone that there are more serious concerns when there is snow rather than when there wasn't snow this particular year...we hadn't had much were the same concerns...

Mr. Tenn stated absolutely, Alderman. Snow makes the matter exponentially worse. In the absence of snow even when it's a completely dry road it's still sufficiently narrow enough that it always causes an impediment to our ability to exit and enter the yard safely.

Alderman Shea stated so when you leave in the morning and I don't know what time you leave you're saying that there is a car there.

Mr. Tenn stated generally not in the morning but it seems that there's almost always a vehicle there in the afternoon and evening.

Alderman Shea stated one of the thoughts too is that the study group that goes up there are all honor students at Central High School and they like to study together because obviously that's what we want kids to do in our day and age...we don't want them hanging around corners or whatever else. So my thoughts run along the line is that if the young girl that is applying for college now and hopefully she'll get into her college of her choices...we all want our children and grandchildren to do...will this in turn be a mitigating factor in your mind when this study group wouldn't be there say September or October...possibly around holidays it might be but we have to understand that.

Mr. Tenn stated I think my neighbor has indicated that they park there, their friends park there, their family members park there, their guests park there so I don't know if it's isolated only to his daughter and his college friends...I would tell you these are high school kids I don't know why they couldn't part 30 feet away and walk into the house...none of them seem to have any physical disabilities but I don't know.

Alderman Shea asked what if your guests and your mother and your particular friends weren't allowed to park in front of your house how would you feel?

Mr. Tenn replied well actually they can't park in front of my house.

Alderman Shea stated no but I'm just saying if the shoe were reversed.

Mr. Tenn stated I'm not asking that they be banned from parking in front of their house.

Alderman Shea stated no I'm asking you a question. If you lived on Walnut Hill on the north side and the process were reversed so that your 91 year old mother were not allowed to park in front of your house would you feel the same way.

Mr. Tenn stated that's not what we're asking for.

Alderman Shea stated I'm asking you that question.

Mr. Tenn stated my 91-year-old mother would park in my driveway or in my garage. She wouldn't be parking in front of my house and walking in.

Alderman Shea stated you're not answering the question...you're begging the question...but my point is if the shoe were reversed...we have to always put ourselves in the other person's position and that's what I'm asking you.

Mr. Tenn stated hypothetical unfortunately Alderman is not the situation that we're asking for. We're not asking to ban parking in front of Attorney Ahlgren's house. We're just asking that a limited portion of that be marked no parking. The distance from the east side of the driveway into his home or where he's parking now into his home is virtually...there's virtually no difference so I'm not asking that he make people park substantially further away. We're talking about 30 or 40 feet...that's it...two car lengths. I hope I've answered it but as I said I'm not before this Board asking that the entire street be marked no parking or that the entire breadth of him home be marked no parking just a limited portion of it so that we can come out of our yard.

Chairman Osborne stated my recommendation right now the way it sounds to me is to get back to the City, get back to the Highway Department, get back to the engineers, get a study on this, have Mr. Roy do this and ask him the cost...if it's a mistake on our part or the City's part I think we should absorb this situation. I think by moving that curbing back probably three feet will make a big difference whatever we own for land. I don't know how much we own. I ask a question... we're in the dark here. So, this is what I recommend to do. Does this sound logical to the Committee or to Mr. Roy?

Alderman O'Neil stated a question for Attorney Tenn. John, if it came back that the City could move some of the curb and we weren't in any violation of any Zoning Ordinances widening the mouth if that's a proper term...your driveway and that side to give more turning radius. Is that something you'd accept?

Mr. Tenn replied if the City is willing to do all the necessary work...move the fence.

Alderman O'Neil stated there are certain things we can do. At some point it's going to become...I don't think it's major work on your property. I think the biggest work is relocating the curbing.

Mr. Tenn stated I'm hoping to avoid added expense on the property. Until the City put in storm and sewer drains my property's been flooded for the last three years. I have a \$20,000 driveway ahead of me this year so I'm not looking to do any added expense and I would just leave you with the thought of...

Alderman O'Neil interjected John I wish you'd answer my question though. If we beared the brunt of the expense to widen that, pull back some of the curb if it can all be done without any violation of the zoning ordinances is that something that would be acceptable to you. If it improved your situation and doesn't require the no parking signs on the other side of the street...you can improve your ability to pull out of your driveway would that be acceptable?

Mr. Tenn replied I would certainly welcome you to investigate that and I'd be glad to look at the numbers. I don't want to give you a blanket yes or no depending on the cost.

Alderman O'Neil stated we need to get back...hear the numbers from our end but I think where the Chairman would like to go is to refer this to public works people and get a cost as we do have a crew that sets curb every day nine months of the year.

Mr. Tenn stated they were just up there not long ago setting curb. Alderman, my only concern is I don't want to have to now widen my driveway and move my fence and pave over my yard and take out the irrigation system and all of the work that I have already done.

Alderman O'Neil stated John, Mr. Tenn, I'm not sure that's what's required here to improve the turning radius for your coming out of the driveway.

Chairman Osborne stated that's not what I said, Mr. O'Neil, in the first place. I'm talking about Ahlgren's side. I'm talking about moving the curbing in more on the Ahlgren's side...not your side that way there it will give more width and he can still have his parking in front of his home. If the City owns that property on his side of the street is what I'm saying.

Alderman O'Neil interjected I disagree with you there. We got the report from CLD Engineering...they're saying just widen the mouth of the driveway a little bit.

Chairman Osborne stated again it becomes an inconvenience...can we do it, we have to go through ZBA and so forth.

Alderman O'Neil stated well we don't know that.

Chairman Osborne stated I'm sure if it's going to be too wide...they don't like wide driveways but what's wrong with the other way though. Why the other way though...or should we do both sides...widen the street. First of all we have to find out how many feet we have to work with. I think this is the whole thing, okay. We could talk all night about it I guess.

Alderman Roy stated to answer the Chairman's first question from a few minutes ago. As I've stated to both residents and Jim Hoben and a number of Alderman I'll do whatever it takes to my part to smooth out or rectify the situation as equitably as possible. The comment I would have regarding removing curbing on any street if we don't have straight travel lanes then I believe Jim may concur that that could create also safety issues and as Alderman Shea said earlier we have one situation that's caused another situation let's not cause a third that doesn't rectify any of the previous problems. So I would work happily with staff and happily with both property owners as I've tried to in the past and if that's an option.

Alderman O'Neil moved to refer to the Highway Department and any other necessary departments for a recommendation. Alderman Long duly seconded the motion.

Mr. Tenn stated to Alderman O'Neil anything you can do to assist us to get out of the yard...whatever it may be is all we're looking for. Thank you.

Alderman Long asked Attorney Tenn have you received a copy of this drawing?

Mr. Tenn replied I have not.

Alderman Long stated what we're looking for in that is a 10 foot radius to the west side of your driveway just to give you a heads up is that...that's what we're looking for. If it would be something that's that simple to do. I don't know where your irrigation is, I don't know how much fence you've got to move but just to give you an idea of what we're looking for...what we're going to be looking at, one of the options.

Mr. Tenn stated if memory serves me the fence is probably within that 10-foot area but I understand what you're looking for. If it works great. Like I said we just want to get out of the yard safely without having to pull forward, backup and

pull forward and backup. I don't know what this plan is and I'd obviously want a professional engineer to look at it to make sure that it is viable but I guess if you ask me is it worth going through all of that exercise rather than move a vehicle a few feet. I'd say move the vehicle a few feet but it's the City's time and effort and funds.

Alderman Long stated that plan is done by a professional engineer.

Mr. Tenn stated the first I'm seeing it.

Alderman Shea stated just by way of a side light here this is the first time that I've every felt like a judge or the rest of my colleagues here.

Chairman Osborne stated so Mr. Hoben you don't know how many feet there are there...how many feet the City owns, you don't have any idea.

Mr. Hoben stated I have no idea on that.

Chairman Osborne stated I think this is the whole thing in a nutshell...how many feet do we own...maybe we could make parking on both sides.

Chairman Osborne called for a vote on the motion. There being none opposed, the motion carried.

Alderman Shea asked how long will this be...how long do you want this to go on?

Chairman Osborne stated we're going to notify Highway...the next meeting.

Chairman Osborne advised that the Traffic Division has submitted an agenda of regulations to be addressed as follows:

Rescind Stop Signs:

On Comeau Street at St. Marie Street, southeast corner (Ord. 0190)

On Comeau Street at Hamburg Street, northwest corner (Ord. 0189)

Alderman Smith

On Lincoln Street at Cedar Street, southwest corner, back-up (Ord. 8914)

On Lincoln Street at Cedar Street, northeast corner, back-up (Ord. 8915)

On Cedar Street at Wilson Street, northwest corner, back-up

(Ordinance number not assigned)

Alderman Osborne

Rescind Stop Sign Emergency Ordinance:

On River Front Drive at River Front Drive Extension, northwest corner
Alderman Forest

Stop Signs:

On Hamburg Street at Comeau Street, southwest corner
On St. Marie Street at Comeau Street, northeast corner
Alderman Smith

No Parking Anytime:

On Ellen Court, both sides, from Belmont Street to the dead end
On Norris Street, west side, from Somerville Street to a point 105 feet north
Alderman Shea

No Parking Anytime Emergency Ordinance:

On Brooklyn Ave., north side, from a point 135 feet west of Jewett Street to a
point 40 feet westerly
Alderman Shea

Rescind No Parking Anytime:

On Norris Street, west side, from Somerville Street to a point 60 feet northerly
(Ord. 8796)
On Norris Street, west side, from Somerville Street to a point 70 feet north
(Ord. 8797)
On Norris Street, west side, from Somerville Street to a point 70 feet north
(Ord. 9073) - duplicate on record
Alderman Shea

On Candia Road, south side, from Hanover Street to a point 450 feet east
(Ord. 2751)
Alderman Pinard

Rescind 2 Hour Parking Meters 8AM-8PM/ Monday-Friday:

On High Street, north side, from Pine Street to Union Street -16 spaces
(Ord. 7132)
Alderman Long

2 Hour Parking Meters – 8 AM– 8 PM/ Monday-Friday:

On Bridge Street, south side, from Pine Street to Union Street – 17 spaces
Alderman Long

Rescind No Parking Loading Zone - 8AM-5PM/ Monday-Saturday:

On Union Street, east side, from Bridge Street to a point 40 feet northerly
(Ord. 8390)

Alderman Duval

Rescind 1 Hour Parking 8AM-6PM:

On Union Street, east side, from a point 40 feet north of Bridge Street to a point
130 feet south of Pearl Street (Ord. 8393)

Alderman Duval

Rescind 15 Minute Parking 8AM-6PM:

On Bridge Street, north side, from a point 60 feet east of Union Street to Union
Eastback Street (Ord.6386)

Alderman Duval

No Parking Loading Zone 8AM-5PM/ Monday-Saturday:

On Bridge Street, north side, from a point 60 feet east of Union Street to Union
Eastback Street

Alderman Duval

2 Hour Parking 8AM-6PM:

On Union Street, east side, from Bridge Street to a point 130 feet south of Pearl
Street

Alderman Duval

Traffic Division Addendum

Rescind No Parking 8AM-5PM/Monday-Friday:

On Tarrytown Road, east side, from a point 130 feet north of Nelson Street to
Benton Street (Ord. 7426)

Alderman Osborne

No Parking Anytime:

On Tarrytown Road, east side, from a point 130 feet north of Nelson Street to
Benton Street

Alderman Osborne

Flashing Signals:

On Massabesic Street and Cypress Street

Alderman Osborne

On motion of Alderman Long, duly seconded by Alderman Shea, it was voted to accept the Traffic Division agenda as amended.

Chairman Osborne addressed item 8 of the agenda:

8. Communication from Katherine Gatsas requesting to speak regarding improvements warranted at the Manchester Police Department.

Alderman Shea moved to allow Ms. Gatsas to make a presentation to the Committee. Alderman Long duly seconded the motion. There being none opposed, the motion carried.

Chairman Osborne stated Ms. Gatsas I hate to tell you this but it took so long on this other stuff and it's 5:30 already and I have to go through the tabled items as well yet and there are some issues on the tabled items so if you could make it ten minutes or so...we can't do all night.

Ms. Gatsas stated Mr. Chairman I told you I needed at least 30 minutes for this presentation.

Chairman Osborne stated oh no I can't do it tonight...no way.

Alderman Shea stated let's give her a little time anyway, she's waited patiently.

Ms. Gatsas asked would you put me first on the agenda for the next meeting.

Chairman Osborne stated 30 minutes I thought you had said something like 15 minutes.

Alderman Shea stated can we do 15 tonight and then continue the next time, Kathy, is that possible.

Ms. Gatsas stated sure. Mr. Shea thank you for your courtesy I appreciate that. I first expressed my concern about the failing Police Department during my campaign for Alderman At-large two years ago. The need for updating, upgrading and housecleaning is past due. In order to repair the public's perception and overall performance of a failed Police Department an active partnership between citizens and police must occur. We, the people, demand equal participation in the management and the leadership of the Manchester Police Department. Police protection we pay for is not delivered. We send a clear message to Jaskolka's Police Department, above the law practices and business as usual end now, citizen

leadership begins now and I'm suggesting that a Police needs assessment be administered to enhance police performance, the organization of a Citizens Advisory Board be enacted and a dismissal of chaos to restore law and order in our community. I've had the opportunity to meet many police officers. Some officers have definitely impressed me and some have convinced me more training and higher performance expectations are needed. Tension between the Police and citizens has caused a virtual collapse of public confidence...Jaskolka is on the defensive. His tension is evidenced by the posting of a statistically unreliable close ended yes or no answer survey posted on the Police website and here are the three pages that are found on the Manchester Police Department website. This method of data collection is ineffective and used to generate a summary statistics that proves nothing more than smoke and mirrors. We need help in this community, our crime is rising...smoking mirrors more public deception...you or I can respond to this survey as many times as we please. There's no measure in place to ensure authenticity. The results of the survey can be manipulated to indicate whatever results one chooses. Will Jaskolka have the public believe that 99% of the survey respondents rated the Manchester Police Department as very good...it's a horrible public deception and very misleading to use smoke and mirrors and these are the questions...they've very closed ended questions...what do you feel is the greatest problem in your neighborhood, are you fearful of becoming a victim of crime...I have a suggestion tonight for Mr. Jaskolka that if Jaskolka desires a true public assessment of the Police Department he should survey the people directly interacting with the Police. When an officer responds to the scene a written performance appraisal should be provided to the citizen. The citizen will then have the option of completing the appraisal and returning it to the Citizens Advisory Board. The appraisal should elicit responses about the officer's communication skills, interpersonal skills, integrity, commitment to service, work ethic, problem solving ability and demeanor. I receive citizen complaints that response time continues to be slow and in some cases no response at all. Not responding to citizen's emergency calls...unacceptable and alarmingly dangerous not to mention the legal liability posed upon taxpayers. Official indifference to the public's call for help...it's just totally unacceptable. A New Hampshire State Trooper informs me that response time should be between three and five minutes. We citizens demand a three to five minute response time. Taxpayers hire Police to serve and protect our citizens. Some citizens are receiving protection, some citizens denied. What is the price for Police protection and who do we pay. Selective enforcement of the laws...unlawful. It's downright awful to know that public safety is distributed to a select few. Police officers have expressed to me the following complaints...high mileage patrol cars, difficult to navigate during winter conditions, faulty recruitment efforts, a flawed promotion system, underutilization of minorities and women, lack of training and equipment. A particular Manchester police officer said to me Ms. Gatsas I've seen you speak

before the Board of Mayor and Aldermen. Do you really think that they're going to buy us infrared imagining cameras...they won't even buy us equipment that we need. Let's find out...what do the police officers need. I suggest that a needs assessment be designed to survey all Police Department employees. This assessment will encourage honest and objective detailed responses from each officer. We citizens want to know what do the Manchester Police need to keep us safe. Response to the assessment will be mandatory and administered by a newly organized Citizen Advisory Board...common citizens and police will be joined together to participate in a needs assessment design. I promote a community forum be held during which time the public can discuss priority safety needs and offer suggestions of sample questions to be incorporated in the needs assessment...let's include citizens, let's involve citizens. It's citizen safety and satisfaction that we seek. I am recommending that this assessment consist of three parts...Part A is collecting vital information about the officer which will include the officer's education, the date the officer attended a National Rifle Association tactical course, the date the officer attended a Constitutional Law course, the date the officer read and signed the International Association of Chief of Police Domestic Violence Model Policy...you get the idea of what I'm talking about...competency. Will we find 95% of Manchester's Police force have graduated from an accredited criminal justice program, how well-educated are the Manchester Police and have they studied criminal justice. Part B will include questions requiring narrative response such as please explain in detail your suggestions for department improvement, your opinion of the leadership, your opinion of internal operations, is the department's practice philosophy meeting the needs of the community. Give us your suggestions to improve organizational efficiency, to improve accountability, give us suggestions for improving training and policies. Where not getting the responses from the people that really need us. Are we hiring candidates predisposed to the unnecessary use of force...this is a big question. I just spoke with a Manchester resident the other day...very much intimidated by a Manchester police officer. Are we hiring candidates predisposed to unnecessary force, using intimidation tactics to instill fear, practicing sexism, prejudice, exclusion, harassment, rudeness, arguing with incident details as reported by the victim. Using the code of silence to obstruct justice and protect officer criminality. How is John Jaskolka reinforcing bias free policing? Jaskolka tells us that men in uniform don't commit crimes. Jaskolka practices occupational privilege, abuse of power that's unlawful. The President of the International Association of Chief of Police, a woman, named Maryanne Vivarette...she's a Police Chief in Maryland she has the following message for Chief Jaskolka...police officers must never consider themselves above the law. The source 2006 Chief of Police Civil Rights Manual. I'd like to know have Manchester police officers read this Civil Rights Manual? This book has been published by the United States Justice Department and is available to every single

police officer in our country. All men and women are created equal in the eyes of the American Justice System. Jaskolka compromises civil rights, defying constitutional boundaries to protect above the law criminality. I am a victim of Jaskolka's sexism and bias. This needs assessment will conclude with Part C focusing on ways Manchester citizens can help police to perform more effectively and safely. What do the police need from Manchester citizens? Jaskolka and Kane (Fire Chief) create barriers to prevent fair and impartial internal investigations of their departments. We, the people, we must remove these barriers and restore fair treatment for all of the people. The organization of a Citizens Advisory Board will set these barriers free. This Board will be composed of common citizens not high paid lawyers, not career politicians, not John Jaskolka's friends and family...fairness and impartiality will be insured to all parties. The Citizens Advisory Board will be an investigative committee, an independent entity separate from the Police Department provided with subpoena power and endowed with disciplinary authority over the investigation of police abuse and misconduct issues. The purpose of a Citizens Advisory Board serves to redress grievances, serves as a management tool, a forum to address public concerns, an opportunity to redefine police policy and practice without obstruction and favor of occupational privilege. It's a very flawed system to have the cops investigate themselves. We, the people, demand action to restore equality, safety, integrity and justice to our City and to our Police Department. Thomas Jefferson cautioned us men like Police Chief Jaskolka would come, he would come to fragment our American spirit to divide, to exclude, to discriminate, to create chaos and disrupt justice and violate our blessings of liberty.

Chairman Osborne interjected I don't want to interrupt you but you have about two more minutes okay because I want to finish the tabled items...it's quarter of and I have to be out of here...I'm trying...try and wrap it up...I'd appreciate it.

Ms. Gatsas stated you know I really don't feel as though I'm being given the opportunity that I was promised. I spoke with you on the phone and I was very particular about having enough time.

Chairman Osborne stated you never told me 30 minutes...so I don't want to argue the point but at least you're saying what you can but a lot of it it seems I've heard before so try and get what you want to get across and I just want to finish.

Ms. Gatsas stated I have a right to speak and that's why I've come to this Chamber tonight to not only express my differences but also to give opportunities, to give suggestions...that's what it's all about, Mr. Chairman.

Chairman Osborne stated if you want to try and bring it back again that's fine with me but I want to finish my agenda.

Ms. Gatsas stated I prepared hours to speak this evening, it's so unfair, I have these books that I would like to distribute to the Committee. These are published by the United States Justice Department, protecting civil rights and also this is a very valuable book...*Innovations and Police Recruitment in Hiring*...there are some great suggestions.

TABLED ITEMS

9. Discussion relating to coordination of services and utilities during storm events such as what occurred on February 10, 2006 as requested by Alderman O'Neil.
(Tabled 03/21/2006 pending report from Fire and Police Departments; report requested within 30 days per action of 01/30/200. Communication from Deputy Chief Simmons dated March 9, 2007 enclosed.)

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to remove item 9 from the table for discussion.

Chairman Osborne stated I know we have quite a bit of information on this.

Alderman O'Neil stated we've got two pages. It didn't answer completely. I appreciate Deputy Simmons' attempt to do something with the request but I'm not really sure the departments understood what we were looking for. I'll follow up with them. What I was really looking for was to see the Emergency Operations Center put into better use than it is.

Chairman Osborne stated I thought there was more than the Police Department here.

Alderman O'Neil stated they talk about some meetings that happened in October but they really didn't come up with any solution...that's why we kept it on the table and then Deputy Simmons responded.

On motion of Alderman O'Neil, duly seconded by Alderman Roy, it was voted to receive and file.

10. **STOP SIGNS:**

On Lacourse Street at Rhode Island Avenue, NEC
On New York Street at Rhode Island Avenue, SWC
Alderman Duval
(Tabled 05/16/2006)

This item remained tabled.

11. Communication from Parks, Recreation and Cemetery Commission recommending naming the Manchester Recreational Trail system inclusive of Manchester City limits present and future, in honor of Officer Briggs to be called "The Michael L. Briggs Trail System 83."
(Tabled 11/14/2006)

This item remained tabled.

12. Communication from Alderman Shea proposing the establishment of a Manchester Crime Prevention Committee.
(Tabled 12/12/2006)

This item remained tabled.

13. Communication from Joe Morse submitting recommendations to help alleviate the dangerous situation at the intersection of Valley and Massabesic Streets and Tarrytown Road.
(Tabled 01/30/2007 pending review by Police Traffic Division)

This item remained tabled.

14. In-Street Pedestrian Crossing Sign Traffic Policy.
(Tabled 02/20/2007. Revised Traffic Policy, potential locations and Crossing Sign Agreement enclosed.)

Alderman Roy stated unless Mr. Hoben has a report if not I'd like to leave this item on the table until he's coming back with potential locations.

Chairman Osborne stated we have something at the end of the agenda.

On motion of Alderman Roy, duly seconded by Alderman Long, it was voted to remove item 14 from the table for discussion.

Alderman Roy moved to approve the pilot program.

Chairman Osborne stated I'd just like to speak a little bit about it. I don't mind a pilot program but I thought it might be nice like I mentioned before. Rather than putting out 14 I figured the pilot program we could start on Elm Street...the four top...the ones you were talking about...Ward 3 and Ward 1...we could start with those and see what happens in a two or three month period and see what happens.

Alderman Roy stated I'm not opposed to taking care of the Elm Street locations I just am looking for the fairest if we were only going to do four or six locations I would ask Jim for four or six of the best locations for the City. I'll take all the assistance in Ward 1 that the City Aldermen will give me but I would not be one to suggest that our problems are worse than any other ward in the City.

Chairman Osborne stated no I realize that but we have to start somewhere and I thought Elm Street would be the place to start. We can't pick on one school and not all the rest either...it's a tough situation the way you look at it here too. You're the one that brought it in and these are the ones that you had mostly on your agenda and I think they're good...Elm Street's such a wide street like you say I think it's a good pilot program...they haven't been out there at all so at least it's a start. The cost of those four are going to be \$1,017.92 so depending on whether it's a school one or a regular one...one costs a little bit more than the other. I think that's a good start...it gives you a good idea as to what's going to happen to them.

Alderman Long asked where are the prices listed?

Chairman Osborne replied I have the prices here. The one for the school is \$270 and the regular one is \$238.96 so four of the ones that Mr. Hoben said we'd be putting up there...is that right, Mr. Hoben or have the prices gone up?

Mr. Hoben stated that's the correct price I just had a couple of comments on the whole program.

Chairman Osborne stated we'll get there I just wanted brief discussion.

Alderman Roy moved that a pilot program for In Street Pedestrian Crossing Sign Traffic Policy be approved. Alderman Long duly seconded the motion.

Mr. Hoben stated I'd just like to go over the revised policy...if you look at number 5 we took out the one where there were a couple of issues with and inserted the agreement that Kevin had drawn up and see as part of the policy. In other words we'd still like to see a custodian of these signs.

Chairman Osborne stated that's what I was going to get into. We have a couple of schools right...two schools, Mass College of Pharmacy...North End Variety is going to be in charge of that one there...I think it's up to the ward Alderman.

Alderman Long stated I could find a custodian.

Alderman Roy stated likewise with the two schools in Ward 1.

Alderman Hoben asked about the funding source.

Chairman Osborne stated it's something I guess you could look into and see if there's anything left from the other thing we were discussing to see if there's at least \$1,000 somewhere...we can get a pilot program going.

Mr. Hoben stated I will go back to my superiors.

Chairman Osborne stated check with Mr. Thomas and see what you can do here. It's not a lot of money but we might as well get it settled and see if it's going to work or it isn't...how long they last and then you can come back or what do you want to do.

General consensus was to get the pilot program moving forward.

Chairman Osborne stated see what you can do whatever and I appreciate that.

Alderman Roy stated if it pleases the Committee and if the Clerk can get it done would it be possible to vote on this and refer it out to the full Board for this evening and Mr. Hoben would be able to inquire with Mr. Thomas this evening regarding funding. As spring gets here I'd like to see if we're going to make this attempt.

Mr. Hoben stated also Alderman Roy you had a question at the last meeting. The turn around time is one week from the prison.

Alderman Roy stated okay then if it can't come out this evening that would be fine then we'd take it the first week of April.

Chairman Osborne stated if it is easy for Matt one of my concerns and Mr. Hoben just addressed it is about a one week turn around time to get these delivered to the City. So, the first week of April would be fine if it's impossible, Matt.

Deputy Clerk Normand stated before we take a vote this will include the following locations only: on Elm Street at Myrtle Street (North End Variety); on Elm Street at Orange Street (Mass. College of Pharmacy); on Elm Street at Carpenter Street (Mount Saint Mary's Academy); and on Elm Street at Rowell Street (Webster School.

Alderman Shea asked what are we asking for, Mr. Chairman, how much are we asking for?

Chairman Osborne replied \$1,017.92.

Alderman Shea stated that would take care of all of these here.

Chairman Osborne stated no just the first four...the pilot program...see how long they're going to last out there.

Chairman Osborne called for a vote on the motion. There being none opposed, the motion carried.

There being no further business to come before the Committee, on motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee